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FM AMEMBASSY YEREVAN
TO RUEAHLH/HOMELAND SECURITY CENTER WASHDC
RUEHC/SECSTATE WASHDC 9533
RUEPICA/USCIS WASHINGTON DC
INFO RUEHMO/AMEMBASSY MOSCOW 1641
RUEHFT/AMCONSUL FRANKFURT 1951

UNCLAS E F T O YEREVAN 000677

SENSITIVE NOFORN
SIPDIS

DEPT FOR CA/VO/F/P (MEEARL) AND CA/FPP (RSBILLINGS)
USCIS FOR HQ ASYLUM BRANCH (KTURO AND KMACK)
MOSCOW FOR USCIS (SSINCLAIR-SMITH)
FRANKFURT FOR RCO (KBROUGHAM) AND ICE (GSPINDEL)

E.O. 12958: N/A

TAGS: [AM](#) [CVIS](#) [KFRD](#) [PHUM](#) [PREF](#)

SUBJECT: EVIDENCE OF POSSIBLE FRAUDULENT ASYLUM
CLAIM-ARAKELYAN NAKHSHUN-DOB 16 MARCH 1969, A099-039-244

THIS CABLE CONTAINS MATERIAL THAT IS SENSITIVE BUT
UNCLASSIFIED. PLEASE PROTECT ACCORDINGLY.

¶1. (SBU/NF) Summary: Evidence has come to light during a Visa 92 following-to-join interview that suggests Arakelyan NAKHSHUN, DOB 16 MARCH 1969, A099-039-244, submitted a fraudulent claim for asylum. As per 9 FAM Appendix O, 1207.2-5(A), Post is reporting these details to CA/VO/F/P, CA/FPP and USCIS. End Summary.

¶2. (SBU/NF) Armenian citizen Ms. Arakelyan NAKHSHUN entered the U.S. in B2 status on 30SEPT2004 and claimed asylum on 30JUNE2005. The basis for her claim to asylum was persecution, threats, beatings and detention she had received as a result of her political activity in connection with the 2002 presidential election. Specifically, Ms. Arakelyan NAKHSHUN stated that she was detained twice by the police, once for two days from February 19th-20th, 2003, and beaten several both during both detentions. She stated that she was only released after her husband paid a \$600 bribe to the officials holding her in detention. She stated that an eight man police unit raided their house on March 5, 2003 and that her husband and children were present during the raid. She also stated that her husband was detained overnight and severely beaten for his participation in a rally on April 12, 2004 which took place in Freedom Square. She stated that criminal proceedings against her husband were instigated based on his participation in this rally. She claimed that the family received threatening phone calls every week during this time period. She stated that after the events of 2004 her husband and children went to live with her mother for their safety. Prior to these events, she claimed that her husband, Mr. Sosik Hakobyan was beaten in front of her and their children on April 22, 2002 in connection with the fact that she was born in Azerbaijan.

¶3. (SBU/NF) On 16SEPT2009, Post interviewed Ms Arakelyan's husband Sosik HAKOBYAN for Visas 92 following-to-join status.

As part of routine preparation for the interview, the consular officer reviewed the principal applicant's case file including Ms. Arakelyan's I-589 application for asylum. The consular officer asked Mr. Hakobyan about his life in Armenia and if he or his wife had ever experienced any persecutions or beatings while living in Armenia. Mr. Hakobyan stated repeatedly that his wife had never been beaten, that he had never paid a bribe to release his wife from police custody, that their house had never been raided during in 2003, that they were never criminal proceedings instigated against him, and that he did not at any point live with his wife's mother.

In addition, he stated that he had never spent the night in

jail during 2003 and that his wife had never been in jail at any point in her life. He also states that he never participated in any demonstrations in Freedom Square.

¶4. (SBU/NF) Given the significant conflicting information provided by Sosik Hakobyan and the fact that he was unable to substantiate a single fact included in his wife's asylum claim, Post suspects that Nakhshun Arakelyan's original claim for asylum was fraudulent. He denied every single detail of his wife's asylum claim including his own supposed beatings, detention, bribes paid, and participation in a political rally. As a result of these inconsistencies, Post concludes that Mr. Arakelyan's I-589 includes misrepresentation of the circumstances upon which the asylum claim rests. Post believes this new information necessarily casts doubt on the fact of record in this case.

¶5. (SBU/NF) To preserve the principal applicant's confidentiality, the questions put to Sosik Hakobyan were all factual questions to confirm information for the record. The consular officer's questioning was such that she never stated that Mr. Nakhshun Arakelyan had received asylum or intimated that one reason for her departure from Armenia was that Ms. Arakelyan had difficulties in Armenia. Sosik Hakobyan was interviewed in a private room where no one could overhear the conversation.

¶6. (SBU/NF) Post issued Mr. Hakobyan a YY transportation foil as he qualifies for Visa 92 following-to-join status in all other respects. His information is as follows: Sosik Hakobyan, DOB 01 MAY 1955, Alien Registration Number: A89303003. Mr. Hakobyan's intended address in the United States is c/o of the petitioner Ms. Nakhshun Arakelyan, 10545

Pinewood Avenue, Tujunga, CA 91042-1510.

¶7. (U) Post point of contact is Vice Consul Laura S. Conaway, ConawayLS@state.gov.
YOVANOVITCH